

REMARKS

The issues outstanding in the Office Action mailed February 13, 2003, are the rejections under 35 U.S.C. §112 and §103, and the objection to the Abstract. Reconsideration of these issues, in view of the following discussion is respectfully requested. At the outset, the Examiner is thanked for indicating the withdrawal of various prior rejections at pages 2 and 3 of the Office Action.

Rejections Under 35 U.S.C. §112

Claim 10 has been rejected under 35 U.S.C. §112 as it is argued that it is unclear if fluoro-resin is chosen from only one of the three categories, or a combination from different categories may be used. The claim has been amended in order to clarify Markush language, and it is submitted that it is clear on the record.

Claim 20 has also been rejected under 35 U.S.C. §112, in light of the recitation of the term "characterized." This term has also been replaced by terminology more common in U.S. practice.

Claims 2-7 and 10 have been rejected under 35 U.S.C. §112, second paragraph. With respect to claims 2-5, it is submitted that the term "polyamide matrix" is clear as used, with the minor typographical correction made thereto. It is believed evident that antecedent basis is present in the claim for this term. With respect to claims 6, 7 and 10, it is not clear to applicants why the term "optionally" has been objected to. It has been well adjudicated that use of the term, in and of itself, does not introduce indefiniteness into a claim. See *Ex parte Cordova*, 10 USPQ2d 1949 (BPAI 1988) and *Ex parte Wu*, 10 USPQ2d 2031 (BPAI 1989).

With respect to the amendment to claim 8, restoring the resistivity units to the language used in the specification at, for example, page 1, lines 32-33, the use of such terminology is conventional in the art as clearly taught by the attached article. In particular, see pages 17 and 19.

In conclusion, it is submitted that the scope of the claims have not been changed by the minor grammatical amendments discussed above, either literally or for purposes of the doctrine

of equivalents. Moreover, it is submitted that the rejections under 35 U.S.C. §112 should be withdrawn.

Rejections Under 35 U.S.C. §103

The present Office Action repeats six prior rejections under 35 U.S.C. §103, and makes one additional rejection set forth at page 5 of the Office Action. Central to each of these rejections is *Whitchard '188*, used as the primary reference in each rejection. Underlying this rejection is the argument, in the Office Action, that the methacrylate-butadiene-styrene copolymer, disclosed in *Whitchard*, at col. 7, lines 6-16, corresponds to an ABC copolymer as in the present claims. In making this assumption, the Office Action acknowledges that the copolymer of the reference is a core/shell polymer, wherein, by analogy, monomer A is bonded to monomer B, and monomer C is bonded *both* to monomers A and B. It is thus submitted that the reference does not disclose *linear* ABC triblock copolymers, with blocks ABC linked together in that order. It is submitted that the language of the claim, "A, B and C being linked together in this order, . . . the A block being linked to the B block and the B block to the C block by means of a covalent bond : . ." would clearly be understood by one of ordinary skill in the art as referring to a *linear* triblock copolymer. A clarifying amendment has been made to the claim. The clarification of the nature of the linear triblock polymer is supported at page 3 of the specification, lines 34-end, which would clearly be interpreted by one of ordinary skill in the art as detailing the linear nature of the triblock polymer. In particular, note the discussion that the blocks are "linked together in this order," and *subsequently* that "the A block being linked to the B block and the B block to the C block . . .". It is clear that linking of the C block to the A block as well, which would result in a non-linear copolymer, is not contemplated.

Thus, it is maintained that the core shell polymer of the reference is unrelated to the triblock polymer of the present claims as explained thoroughly in the prior Reply. It is thus again respectfully submitted that all of the rejections under 35 U.S.C. §103 should be withdrawn, since they all rely on the assumption that the core-shell polymer of the reference is equivalent to the triblock copolymer of the present claims. Since this assumption fails, as discussed above, the rejection should be withdrawn.

In conclusion, it is submitted that the claims of the application are in condition for allowance and passage to issue is respectfully requested, however, should the Examiner have any questions or comments, he or she is cordially invited to telephone the undersigned at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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ABSTRACT

A tube having in its radial direction from the inside to the outside, ~~in~~ an inner layer based on a fluoro-resin (or fluoropolymer) and intended to come into contact with a flowing fluid, formed from a blend comprising a semicrystalline thermoplastic fluoro-resin and an ABC triblock copolymer, the three blocks A, B and C being connected together in this order, the blocks being linked by means of a covalent bond or of an intermediate molecule linked to the blocks via a covalent bond, A block being compatible with fluoro-resin, B block being incompatible with fluoro-resin and incompatible with the A block, and C block being incompatible with fluoro-resin, the A block and the B block.

~~—— A block being compatible with fluoro-resin,~~

~~—— B block incompatible with fluoro-resin and incompatible with the A block, and~~

~~—— C block incompatible with fluoro-resin, the A block and the B block.~~